

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,)

Plaintiff, )

vs. )

RAFAL MISTRZAK, )

Defendant. )

Number: CR-05-1849 JH

**JOINT MOTION FOR CONTINUANCE**

COMES NOW Defendant Rafal Mistrzak, by and through his counsel of record, Rudolph B. Chavez, and with the concurrence of United States Assistant Attorney James Braun, requests that this Honorable Court grant an order continuing this cause of action from its sentencing hearing on Friday August 29<sup>th</sup>, 2008 at 9:30 a.m. before the Honorable Judith C. Herrea and as grounds therefore states:

1. United States Assistant Attorney James Braun will not be available for sentencing on Friday August 29<sup>th</sup>, 2008 at 9:30.
2. The pre-sentence report was prepared and arrived in insufficient time to be able to file any amendments or objections.
3. Concurrence was sought from opposing counsel and was granted.

Friday August 29<sup>th</sup>, 2008 at 9:30 a.m. before the Honorable Judith C. Herrea.

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RUDOLPH B. CHAVEZ  
Attorney for Defendant  
2014 Central SW  
Albuquerque, NM 87104  
(505) 242-5500

I hereby certify that a true and correct copy of the foregoing was hand-delivered/mailed/faxed/placed in the DA's incoming box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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RUDOLPH B. CHAVEZ

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,)

Plaintiff, )

vs. )

RAFAL MISTRZAK, )

Defendant. )

Number: CR-05-1849 JH

**ORDER OF CONTINUANCE**

THIS MATTER having come before the Court upon Defendant's Motion for Continuance by and through Defendant's attorney, Rudolph B. Chavez, and the Court having been fully advised in the premises, finds that the sentencing hearing set for Friday August 29<sup>th</sup>, 2008 at 9:30 a.m. is hereby continued.

\_\_\_\_\_  
Honorable JUDITH C. HERREA

Submitted by:

\_\_\_\_\_  
RUDOLPH B. CHAVEZ  
Attorney for Defendant  
2014 Central SW  
Albuquerque, NM 87104  
(505) 242-5500

Approved:

Telephonic Concurrence

\_\_\_\_\_  
JAMES BEAUN  
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PO Box 607  
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